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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,047	08/27/2001	Herbert Gerharter	PHAT 000048	4465
24737	7590	01/09/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			SHIBRU, HELEN	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,047

Applicant(s)

GERHARTER ET AL.

Examiner

HELEN SHIBRU

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/07/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. Figure 1 is objected to under 37 CFR 1.83(a) because the proper labels or legend corresponding to all blocks must be provided as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Information Disclosure Statement

2. The translation of document 19946727 filed on the 01/07/2002 IDS must be provided.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7-11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by McCollum (EP 0 724 211 A2).

Note to the Applicant: The USPTO considers the Applicant's "OR" language to be anticipated by any reference containing one of the subsequent corresponding elements.

Regarding claim 1, McCollum discloses a reproducing arrangement (see fig. 1) for reproducing scenes of a stored film in an overview reproducing mode of the reproducing arrangement, having random access memory (resources) means for the storage of audio/video data (AVD) of a film which is reproducible at a normal reproducing speed during a film reproduction time (see col. 1 lines 22-41 and 55-col. 2 lines 24), and having mode means which enable the overview reproducing mode of the reproducing arrangement to be activated, at least two scenes of the stored film being reproduced in succession at the normal reproducing speed by the reproducing arrangement in the overview reproducing mode, and a skip scene recorded between two scenes and reproducible at the normal reproducing speed during a skip reproduction time interval not being reproduced in the overview reproducing mode (see col. 3 line 52-col. 4 line 15), and having reproducing means which, in the overview reproducing mode of the reproducing arrangement, are adapted to reproduce the stored audio/video data (AVD) of the film at the normal

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reproducing speed from scene start positions to scene end positions during scene reproduction times (see fig. 2 and col. 2 line 25-col. 3 line 3), and having scene defining means for autonomously defining the scenes of a stored film which are to be reproduced by the reproducing means in the overview reproducing mode, the sum of the scene reproduction times defined for a stored film by the scene defining means essentially corresponding to always the same film overview reproduction time interval also in the case of different film reproduction times of the stored films (see col. 2 lines 25-55, col. 3 lines 19-40, and col. 4 lines 5-15).

Regarding claim 2, McCollum discloses input means have been provided for the manual entry of the film overview reproduction time interval (see col. 2 lines 25-55).

Regarding claim 3, McCollum discloses the scene defining means are adapted to define scene reproduction times longer than a minimum reproduction time (see col. 2 lines 35-42).

Regarding claim 4, McCollum discloses output means are adapted to supply title information of the films stored with the random access memory means to a display device connectable to the reproducing arrangement (see col. 4 lines 5-31), the mode means, upon the selection of the title information of a stored film by a user of the reproducing arrangement, being adapted to activate the overview reproducing mode of the reproducing arrangement and the reproducing means being adapted to reproduce the scenes defined by the scene defining means for the film corresponding to the selected title information (see col. 3 lines 19-40 and 34-49, and col. 4 lines 5-45).

Regarding claim 5, McCollum discloses the output means are adapted to provide scene reproduction position information characteristic of the position within the film of the scene reproduced in the overview reproducing mode (see col. 2 line 56-col. 3 line 18).

Regarding claim 7, McCollum discloses scene change detection means have provided for the detection of a change of scene in the stored film and wherein the scenes of the stored film which are to be reproduced by the reproducing means in the overview reproducing mode are defined by the scene defining means in dependence on the detected scene change (see col. 3 line 41-col. 4 line 15).

Regarding claim 8, McCollum discloses the random access memory means are formed by a hard disk and/or an optical disk (see col. 1 lines 6-14 and line 55-col. 2 line 24).

Method claim 9 is rejected for the same reason as discussed in claim 1 above.

Claims 10, 11, and 13 are rejected for the same reason as discussed in claims 2, 4, and 7 respectively.

5. Claims 1, 6, 9, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Asai (EP 0 915 469 A2).

Regarding claim 1, Asai discloses a reproducing arrangement (see fig. 1) for reproducing scenes of a stored film in an overview reproducing mode of the reproducing arrangement, having random access memory means for the storage of audio/video data (AVD) of a film which is reproducible at a normal reproducing speed during a film reproduction time (see paragraph 0024 and 0031), and having

mode means which enable the overview reproducing mode of the reproducing

arrangement to be activated, at least two scenes of the stored film being reproduced in succession at the normal reproducing speed by the reproducing arrangement in the overview reproducing mode, and a skip scene recorded between two scenes and reproducible at the normal reproducing speed during a skip reproduction time interval not being reproduced in the overview reproducing mode (see paragraph 0029-0031, 0033, 0051, 0064, and fig. 5), and having

reproducing means which, in the overview reproducing mode of the reproducing arrangement, are adapted to reproduce the stored audio/video data (AVD) of the film at the normal reproducing speed from scene start positions to scene end positions during scene reproduction times (see paragraph 0031), and having

scene defining means for autonomously defining the scenes of a stored film which are to be reproduced by the reproducing means in the overview reproducing mode, the sum of the scene reproduction times defined for a stored film by the scene defining means essentially corresponding to always the same film overview reproduction time interval also in the case of different film reproduction times of the stored films (see paragraph 0039 and 0053).

Regarding claim 6, Asai discloses commercial break detection means are adapted to detect commercial breaks in the stored audio/video data (AVD) and wherein the scene defining means are adapted to autonomously define the scenes to be reproduced by the reproducing means in the overview reproducing mode, in such a manner that the commercial breaks appear in skip scenes (see paragraph 0064- 0072).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-7329.

The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAMES J. GROODY can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Helen Shibru
December 19, 2005

Drawings

1. Figure 1 is objected to under 37 CFR 1.83(a) because the proper labels or legend corresponding to all blocks must be provided as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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Regarding claim 1, McCollum discloses a reproducing arrangement (see fig. 1) for reproducing scenes of a stored film in an overview reproducing mode of the reproducing arrangement, having random access memory (resources) means for the storage of audio/video data (AVD) of a film which is reproducible at a normal reproducing speed during a film reproduction time (see col. 1 lines 22-41 and 55-col. 2 lines 24), and having mode means which enable the overview reproducing mode of the reproducing arrangement to be activated, at least two scenes of the stored film being reproduced in succession at the normal reproducing speed by the reproducing arrangement in the overview reproducing mode, and a skip scene recorded between two scenes and reproducible at the normal reproducing speed during a skip reproduction time interval not being reproduced in the overview reproducing mode (see col. 3 line 52-col. 4 line 15), and having reproducing means which, in the overview reproducing mode of the reproducing arrangement, are adapted to reproduce the stored audio/video data (AVD) of the film at the normal reproducing speed from scene start positions to scene end positions during scene reproduction times (see fig. 2 and col. 2 line 25-col. 3 line 3), and having scene defining means for autonomously defining the scenes of a stored film which are to be reproduced by the reproducing means in the overview reproducing mode, the sum of the scene

reproduction times defined for a stored film by the scene defining means essentially corresponding to always the same film overview reproduction time interval also in the case of different film reproduction times of the stored films (see col. 2 lines 25-55, col. 3 lines 19-40, and col. 4 lines 5-15).

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reproducing means which, in the overview reproducing mode of the reproducing arrangement, are adapted to reproduce the stored audio/video data (AVD) of the film at the normal reproducing speed from scene start positions to scene end positions during scene reproduction times (see paragraph 0031), and having

scene defining means for autonomously defining the scenes of a stored film which are to be reproduced by the reproducing means in the overview reproducing mode, the sum of the scene reproduction times defined for a stored film by the scene defining means essentially corresponding to always the same film overview reproduction time interval also in the case of different film reproduction times of the stored films (see paragraph 0039 and 0053).

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Conclusion

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Helen Shibru
December 19, 2005


James J. Groody
Supervisory Patent Examiner
Art Unit 2616